

**UNITES STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

X

John Hearn

Plaintiffs

Docket No. 09-4198

-against-

Defendants

ACB American, Inc.

STIPULATION OF DISMISSAL

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all parties, that whereas no party hereto is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of the action, the above-entitled action be, and the same hereby is discontinued with prejudice and without costs to either party. This stipulation may be filed without further notice with the clerk of the Court.

S/ JOSEPH MAURO
Joseph Mauro, Esq.
Attorney for Plaintiff

4-6-10
Date

*The Clerk of the Court
shall close the
case.*

S/ SCOTT WORTMAN, ESQ.
Scott Wortman, Esq.
Attorney for Defendant

4-6-10
Date

SO ORDERED

[Signature]
Michael F. Elman
USDC

April 7 20 10
Central Islip, N.Y.